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December 6, 2022

Hon. Katherine Polk Failla
United States District Court
40 Centre Street
New York, N.Y. 10007
via ECF

MEMO ENDORSED

Re: United States v. Xin Lin,
21 Cr. 665 (KPF)

Your Honor

I write to request an adjournment of the conference in Xin Lin's case, which is currently scheduled for December 9, 2022 to a date at the end of January, 2023. The defense needs a final adjournment to evaluate the government's plea offer and to complete discovery review. The discovery is fairly extensive and Mr. Lin's need for a Chinese interpreter has complicated that review. It is anticipated that Mr. Lin will either enter a guilty plea on the next date or we will request a schedule for motions and trial.

As this application is made to permit the defense to continue reviewing discovery and to complete plea negotiations, the time between December 9, 2022 and the adjourn date should be excluded from speedy trial calculations.

The government, by Sarah Kushner, Esq., consents to this request.

Respectfully,

Lisa Scolari

Lisa Scolari

Application GRANTED. The conference scheduled for December 9, 2022, is hereby ADJOURNED to **February 2, 2023, at 3:30 p.m.** It is further ORDERED that time is excluded under the Speedy Trial Act between December 9, 2022, and February 2, 2023. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will allow the parties to discuss a possible plea and permit defense counsel to continue to review discovery. The Clerk of Court is directed to terminate the pending motion at docket number 34.

SO ORDERED.

Dated: December 6, 2022
New York, New York

Katherine Polk Failla

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE